



PLN. SER. NO. 10/628,123
FILED: JULY 28, 2003
FOR: ALL SURFACE VEHICLE
APPLICANT: RODNEY L. BLAIR
ART UNIT: 3611
EXAMINER: TONY H. WINNER

Hon. Commissioner of Patents
Box 1450
Alexandria, VA 22313-1450

March 16, 2006

AMENDMENT

Sir:

In response to the Patent Office action of December 5, 2005, please amend the above-identified patent application as follows:

IN THE SPECIFICATION

Page 1, line 14, change "5,660,848" to --- 5,660,858 ---.

REMARKS

The specification has been amended to overcome the Examiner's objections and reconsideration is requested of the rejections of Claims 1-6, 8-10, and 12-17. Applicant has filed herewith an Affidavit Under 37 CFR 1.131 swearing back of the patent to Hume, Pat. No. 6,752,231, and requests that this reference be removed.

Claims 1-6, 9-10, 12-15 and 17 have been rejected as being unpatentable over Hume in view of Flagg. However, reconsideration is requested of this rejection. As stated in the enclosed Affidavit Under 37 CFR 1.131 Applicant made this invention prior to the filing date of Hume. Applicant filed a Provisional application, Ser. No. 60/307,474 on July 25, 2001, over fourteen months prior to the filing date of Hume. Also, Applicant is the owner of U.S. Patent No. 5,660,858, issued September 23, 1997, which clearly anticipates the Hume patent, but which was not cited during the prosecution of the Hume patent. Therefore, it is respectfully submitted that Hume is not a proper reference and should be withdrawn and that Claims 1-6, 9-10, 12-15 and 17 should be allowed.

Claims 8 and 16 have been rejected as being unpatentable over Hume in view of Flagg and Quigg. However, reconsideration is requested of this rejection. As noted above, Applicant made this invention prior to the filing date of Hume. therefore, Hume should be withdrawn as a reference and Claims 8 and 16 should be allowed.

Claims 7 and 11 have been objected to as being dependent from a rejected claim.